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May 28, 2024

**VIA ECF**

Hon. Jesse M. Furman  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: *Bd. of Educ. of the City School District of the City of N.Y. v. A.G., et ano.*  
Case No. 23 CV 9745 (JMF)

Dear Judge Furman:

I am the Assistant Corporation Counsel assigned to represent the Board of Education of the City School District of the City of New York (the “District”) in the above-referenced consolidated action. I write on behalf of all parties in accordance with Your Honor’s Order dated May 15, 2024 (Dkt. No. 30) which directed the parties to “file a joint letter proposing a path forward in the consolidated cases, be it motion practice or discovery, as well as a schedule for any next steps” by May 21, 2024. By Order dated May 21, 2024, that deadline was extended to today, May 28, 2024 (Dkt. No. 34).

In the interim, the Court referred these consolidated cases to Magistrate Judge Tarnofsky for settlement. (Dkt. Nos. 31, 33). The Parties conferred with Magistrate Judge Tarnofsky’s chambers and, due to the Court and the Parties’ schedule, scheduled a settlement conference for July 29, 2024. In an effort to try to resolve the case without the need for further litigation, the Parties have also had some preliminary discussions concerning settlement and C.G.’s counsel has already provided the District with time records for the administrative proceedings at issue. Therefore, the Parties jointly propose that these cases be stayed for a period of 75 days in order to afford the Parties the opportunity to try to settle these cases promptly. The 75 days extends only two weeks after the scheduled settlement conference.

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Absent a stay, the District will be compelled to respond to the counterclaims/claims, likely by motion practice which may be avoidable if the Parties are granted a stay and are able to focus their efforts on settlement.

Therefore, on behalf of all Parties, I respectfully request that the Court enter an Order staying these consolidated cases for a period of 75 days to facilitate settlement. Thank you for your consideration of this request.

Respectfully yours,

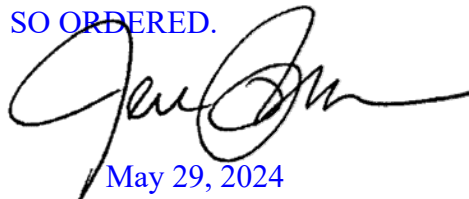
s/Stephen Kitzinger

Stephen Kitzinger

Assistant Corporation Counsel

Given that no case management plan has been entered in this case and the only upcoming deadline is the BOE's May 29, 2024 deadline to answer, the Court sees no reason why an adjournment of that deadline would not suffice while the parties engage in settlement negotiations. Accordingly, the parties' request for a stay is DENIED, and the BOE's deadline to answer is hereby EXTENDED to **August 12, 2024**. (The parties never sought, and the Court never granted, an extension of the 24-CV-2050 Defendants' deadline to answer the Complaint filed in that case. That deadline is similarly extended *nunc pro tunc*.) The Clerk is directed to terminate ECF No. 36.

SO ORDERED.



May 29, 2024